

## Assembly Bill No. 1789

### CHAPTER 578

An act to add Section 12838 to the Food and Agricultural Code, relating to pesticides.

[Approved by Governor September 26, 2014. Filed with  
Secretary of State September 26, 2014.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1789, Williams. Pesticides: neonicotinoids: reevaluation: determination: control measures.

Existing law requires pesticides to be registered by the Department of Pesticide Regulation. Existing law requires that a pesticide be thoroughly evaluated prior to registration, and provides for the continued evaluation of registered pesticides.

This bill would require the department, by July 1, 2018, to issue a determination with respect to its reevaluation of neonicotinoids. The bill would require the department, on or before 2 years after making this determination, to adopt any control measures necessary to protect pollinator health.

The bill would require the department to submit a report to the appropriate committees of the Legislature if the department is unable to adopt those control measures and to update the report annually until the department adopts those control measures.

*The people of the State of California do enact as follows:*

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Honey bees are vital to the pollination of many of California's crops, which are critical to our national food system and essential to the economy of the state.

(2) Annual colony losses from 2006 to 2011, inclusive, averaged about 33 percent each year, which is more than double what is considered sustainable according to the United States Department of Food and Agriculture.

(3) Scientists now largely agree that a combination of factors is to blame for declining pollinator health, including lack of varied forage and nutrition, pathogens and pests such as the Varroa mite, and chronic and acute exposure to a variety of pesticides.

(4) Based on data submitted to the Department of Pesticide Regulation showing a potential hazard to honey bees, the department initiated a

reevaluation process for four neonicotinoid compounds in 2009: imidacloprid, thiamethoxam, clothianidin, and dinotefuran.

(b) It is the intent of the Legislature to set a timeline for completion of the reevaluation of neonicotinoid compounds to ensure that the Department of Pesticide Regulation completes a thorough, scientifically sound, and timely analysis of the effects of neonicotinoids on pollinator health.

SEC. 2. Section 12838 is added to the Food and Agricultural Code, to read:

12838. (a) On or before July 1, 2018, the department shall issue a determination with respect to its reevaluation of neonicotinoids.

(b) (1) Within two years after making the determination specified in subdivision (a), the department shall adopt any control measures necessary to protect pollinator health.

(2) If the department is unable to adopt necessary control measures within two years as required in paragraph (1), the department shall submit a report to the appropriate committees of the Legislature setting forth the reasons the requirement of paragraph (1) has not been met.

(3) The department shall update the report submitted to the appropriate committees of the Legislature pursuant to paragraph (2) every year until the department adopts the necessary control measures specified in paragraph (1).